

# City Council Work Session Transcript – 1/30/2024

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[9:00:45 AM]

Austin city council meeting and allow the mayor pro tem, who is the chair of the Austin energy oversight committee, to call to order that committee meeting, which is a committee of the whole. And that's why we do it. This way. And she will conduct that meeting at which point that meeting will be adjourned, and I will call back to order the Austin city council work session. We will take up one briefing from staff. There is one pulled item, item number 54, and then we will go into executive session. So without objection, I will recess the meeting of the council work session and we will be in recess . It is 9:01 A.M. Mayor pro tem.

( In recess )

[ 9:32:00 AM ]

>> I'll call back to order the Austin city council work session. On January 30th, 2024 at 9:32 A.M. As I indicated, the order that will go in will now be to have a briefing from staff, related to, potential animal ordinance. Then we will take up one pulled item and then we will go into an executive session. Mr. Manager, I'll recognize you on the briefing. Yes, sir. >> Thank you. Thank you, mayor and council. In June of 22, the

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and council. In June of 22, the city council directed the city auditor to conduct an audit of the Austin animal shelter. The purpose was to gather information regarding the flow of operations. The quality of care for our animals, and to discuss the no kill shelter. The audit was completed in September of 23, and that audit was presented to the audit and finance committee in September. On September 27th, 2023, today's presentation provides an overview of the changes that have been made as based on the auditor's report, as well as the recommendations for additional proposed changes that will further address issues identified through the audit. We appreciate the city's, animal. We appreciate that the city's animal shelter is incredibly important to our community, and we take it we take this as very seriously as manager, given that we further realize that management of the animal shelter has to respond to situations that change, there will be further changes that we may want to recommend on in the future,

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to recommend on in the future, but we're prepared to make that presentation. I'll turn it over to assistant city manager Stephanie. Hayden-howard. So she can make that presentation. And then Devin will walk through the brief presentation. Thank you. >> Good morning. Thank you. City manager. Good morning, mayor and council. I am Stephanie Hayden Howard, assistant city manager. As the city manager indicated, the auditor did conduct an audit to complete on the animal shelter. We hired Devin desai as a consultant in July of 2023. He is here to assist us with the recommendations from the audit. There were six recommendations and we are still in the process of working on some of the other recommendations, such as the strategic plan, ensuring data accuracy, improving strained relationships, training the staff and volunteers, and the sanitary plans for the shelter for the audit found that under

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for the audit found that under the current conditions, the shelter's priority are in conflict with each other. Our goal is to ensure our a policy is established that balance the city's no kill goal. The community's intake for needs and the humane care for our animals. The presentation that you are about to see values the council's dedication to no kill status, the quality of our animals and the intakes of the public. I will now turn it over to Devin desai. >> Thank you Stephanie. All right. Mayor, mayor pro tem, council members, as Stephanie and the manager said, I've been brought on to kind of help, implement and help the department implement some of the recommendations from the audit that was done in, the fall of last year. And I will say that I know you have a lot on the on

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know you have a lot on the on your plate today. So I will try to breeze through this presentation. But I am here to answer any questions. And please know that the presentation is there in in backup. If you if you choose to look at it, the managers just talked about a three legged stool at Austin energy. We also have a three legged stool at the shelter. And that is quality of care. Our open intake process and the live outcome mandate. So I really want to start with the live outcome mandate, the live outcome mandate is something that the city of Austin, initiated here, here for our city. Over a decade ago. And we started off saying we want at least 90% of the animals that enter our shelter to leave alive. We have since upped that to 95. And I want to start the presentation by saying it is not in staff's recommendations. You won't see this anywhere in the presentation. We are not recommending changing that 95% number. So all of our recommendations will still involve a 95, minimum live outcome ratio. The other two legs of the stool are quality of

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legs of the stool are quality of care, which I think is pretty self-explanatory. It's what is the quality of life that the animal has that the pet has while it's at our center. So what's its primary enclosure look like? What's the people to pet ratio. All of those types of things. And then open intake is really a shelter fancy word for saying we need to have the space and the ability to take in all of the pets and animals that people bring in. So if you bring in a stray that you say you found and it's hurt, you want. To call in to say there's a loose dog on your street that's biting people. Pool, or you own a pet and you can no longer take care of the pet and you say, you know what? Unfortunately, I can't take care of this pet anymore, can you all take it in? So that's the open intake process. And as Stephanie said with the audit found, was that kind of these three priorities conflict with one another. The more animals you take in and the less you euthanize. Theoretically you're going to start running out of space. So now maybe you're doubling or tripling up animals in a kennel when there should only be one in

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when there should only be one in there. So now your pet to people ratio is off. So you can see all of these things compound one another. I want to also start by saying I don't think there's any one. Like the audit said, there's not any one singular reason why the shelter is in the condition it is in today. So as a result, there's not going to be any one solution to try to get us out of the out of the issues that we face today at the shelter. Really quickly, a brief historical overview is that our shelter used to be located, off of Cesar Chavez at what was known as the town lake animal center, and then in the oh six bond election, our voters approved actually building of the new shelter, which is over on lavender loop in east Austin. But just as a result of bad timing, after the plans for the new shelter was were already completed and I believe construction had already started, we as a city voted to become no kill. Had that been flipped, have we decided to become no kill? And then we started designs for the for the shelter. We would have had a

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shelter. We would have had a better opportunity to build our shelter in a more no kill friendly way. For example, if we are euthanizing, 30, 25% of the animals. But now we're going to a place where we want to have at least 90% live outcome ratio. That means for our veterinarians, a lot of the animals that they would have otherwise euthanized, they are now saving. So theoretically, we should have built a bigger area for our medical recovery unit, as you'll find later in the presentation. I think where we struggle, the most, and I believe this is probably common of many shelters across America, is with our medium to large sized dogs. And so we should have built more kennels, for example, to take care of those animals. However however, when we design the facility, it was originally designed with actually less kennel space than the old facility had over in town lake. We have retrofitted that. Initially we started off 60 less kennels than the old facility, but now we have retrofitted it to where only we are only 16 less. Kennels than we had at the old facility. But

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we had at the old facility. But as you can imagine, the population of the city has greatly increased since then. So it's just a missed opportunity that we had when we built the shelter just because of timing. So as far as some of the priorities, go. So, I do want to start with the open intake process. So if you look at this chart here, like for most shelters, I believe this is the case. The vast majority of the types of animals you're going to get in are cats and dogs. So this chart really just focuses on on cats and dogs and for a nine year period, we're looking at how many we intake intake okay. That's the top line. And then my word is outtake right. So how many were actually given to the adopters or how many were transferred to other facilities to be adopted. And, and as you can see, prior to the pandemic, our numbers for both areas were higher. We were taking in a lot more animals, and we were getting out the door a lot more animals. After 2020, all of these numbers dropped

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these numbers dropped significantly. Both our intake numbers dropped and the outcomes numbers dropped. And if you look at all nine nine of these years, you'll see that for seven of the nine years, we've actually taken in more dogs and cats than we were able to get out through adoptions or transfers. Only two of the last four years, actually, were we in the green. And this last year, you'll see we were actually in the red 318. So we took in 318 more dogs and cats than we actually were able to get out through adoptions or transfers really quickly. One of the things staff here is quite often is that intake is closed at the at the shelter, while intake isn't closed, it is restricted for the types of animals where we have no space and that is the medium to large size dogs. So that means we still will take in medium to large sized

dogs if it meets some emergency situations, such as you've been evicted. We had a gentleman who started a incarceration sentence and he could no longer take care of his his pet. If you find a sick or injured animal. Well, or if

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injured animal. Well, or if there's cases of cruelty, obviously. And obviously the ones that are posing a risk to the community. So somebody calls in to say there's a stray dog, it's biting people. Can you please come get this? Obviously we're going to it's our responsibility to go and take that. But even under restricted intake, we took in an average of 30 animals a day in fy 23, 15 dogs, 15 cats. The issue is our outtakes as that's my word, outtakes. We got 14 dogs out and 15 cats so that plus one in the red on an everyday basis is how we get to the -300 that we were for the year. Now there's two ways we can change kind of the efficiency of what's happening at the shelter. There's operational changes. Obviously the staff is authorized to make, and then there's changes that we need to make in the code, which staff obviously cannot change. And that's why you have your agenda item in front of you for this for this week, this slide just details a lot of the operational changes that staff has already made. I think they're fairly self-explanatory,

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they're fairly self-explanatory, but I will say that I think the first bullet point in there is really important. We have increased by 50% each. The number of volunteers and fosters for the shelter. And I think obviously on the foster side, the more animals that are being fostered, the more space we have at the shelter to allow people to bring in their pets. And so we're hopeful that that those numbers keep continuing to increase the recommendations that we have. As far as the code, all of them are based on a goal to eventually have a more smoother process for animals to come in and out of the shelter in an ideal world, you get 30 animals in a day, and the next day you get 30 animals out and then you can keep keep that process going. Right now, what we've seen is it's become harder to get some of our animals out, especially in the medium to large sized dogs. Again, I want to reiterate, we're not making a recommendation to change the no kill percentage. Oops. All right . So our first one, our first

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. So our first one, our first recommendation really deals with the public safety issue. Unfortunately we've seen incidents in which a dog that we know at the shelter has a significant bite. History has then gone on to cause severe injury to members of the public after it's been released by us. Unfortunately, a lot of these dogs have stayed at the shelter for an extended period of time. And, you know, shelter stress is an ideal for, for any animal. And some of our aggressive dogs become more aggressive and

some of our unaggressive dogs, unfortunately, start to become aggressive over time. Our current ordinances, which were amended in 2019, require that most of these dogs, the very narrow circumstances where they won't. But most of these dogs must be made available to some members of the public and to the rescue organizations who can then turn around and let members of the public adopt or foster it. And that's really kind of what the recommendation focuses in, around is that piece of the

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around is that piece of the ordinance, as you'll see in the audit, this is directly from the audit report. We currently evaluate and, you know, label our bites under three criterias or three labels minor, moderate and severe. And the auditors pointed out they had a concern over the number of moderate and severe bite dogs that were then being released back into the public. And this is over a four and a half year span. You can see, because for 2023, there were only two quarters counted here. This chart was concerning the staff. This is the number of bite events that are leading to severe bodily injury. And as you can see, we had a high of 68. I believe in 2017. And then by 2020 it was down to 53. And over the next two years we went to 84 and then 128 with a slight uptick. This last year to 131. So what's concerning is obviously from 2020 to 2022, while the city of Austin has

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while the city of Austin has increased our population growth, it certainly has not been to this, to this rate. So what the staff said is what can we do as a city to try to reduce the risk that our public is facing? We can't control every situation about all of the pets that are that are living in Austin. In fact, the vast, vast majority of pets that are in Austin, we the shelter, has never even seen. But what we can do is as a shelter is try to minimize the risk from the animals that we know of that are our property at the shelter that we believe are a danger to the public. So our first recommendation is that we adopt a different classification system for our bites instead of using the minor, moderate and severe, there is a more nationally accepted bite scale, which is known as the Dunbar bicycle, which has six levels where level six are bites that lead to death. And our recommendation is that is to adopt that scale. One of the other benefits of adopting that scale is that we can then better compare ourselves to what other

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compare ourselves to what other shelters around the country are doing. It's hard for us to compare when they say they have a level four bite, and we've had this many in the year for us to be able to compare that to. How many of our moderates fit that category. So this will be a more apples to apples comparison for, for the shelter, for I want to reiterate that this only applies to dogs that are the property

of the city of Austin. This what I'm recommending to what we're recommending does not apply to dogs that are owned by our residents. There's a whole separate process for that. But for the process for the dogs that are the property of the city of Austin, our recommendation is, is that dogs that have a bite history of level four or higher on the Dunbar bite scale may be euthanized and I want to stress may because the staff is going to look at the totality of circumstances around what caused this animal to bite, what circumstances were at play there? Does it have a history of biting before all of those things need to be taken into consideration in making this decision about whether or not to euthanize a dog? But our

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euthanize a dog? But our recommendation is that those dogs not be made available to the public or to the rescue organization. If the decision is made by staff that it's in the best interest of the public to not have this dog be out in the public again, now, for most of us, like me, I don't live in the world of sheltering. I don't really have a good grasp on what a level four bite is and a level three bite. So we do have some pictures. I do want to warn you that some of these pictures of dog bites are pretty difficult to look at. But they do have levels fours and level threes in here. The ones on the left would constitute level four and above. Dog bites. And the two on the right, the gentleman's left knee . And then the other picture took a while for me to get, oriented or oriented to. But that appears to be a child's lips. Over on the left hand side of the picture, the left cheek. And then you can see some hair coming down from the head that

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coming down from the head that those two bites on the right, we don't think would qualify as a level four bite. So the process that's currently in place for those bites, which is if the staff decides that we think this dog is a danger, we want, we think the best outcome is for it, for, for safety purposes is for the euthanization of that dog. The dogs that committed the bites on the right hand side would still go through the same process that we have today, which is allow the rescue organization to take the dog and then potentially for those dogs to be adopted or fostered out again, what would not change? I do want to emphasize that staff is still going to be providing a detailed report about all of the euthanizations that happen at the center. This is not going to be a well, we think that this dog needs to be euthanized unless he's euthanize it and no one's going to document any of it. All of this will be subject to review by the public, and I think that's good. I think we all need to make sure we're on the same page. We're on the up

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the same page. We're on the up and up, we're doing everything that, we said we would do. And if we're making errors, people should. And will. I'm sure, you know, tell us that, hey, we think that this classification was incorrect. We think you should have done that. And I think that only makes for a better operating system for everybody involved. The other thing that wouldn't change is our current process stays in place. Like I said, for level three bites or below, we do have a couple of other recommendations. Burns as far as the ordinances go, first, as the audit points out, is that, the live outcome ratio is based on quote unquote, all animals. However, we wanted to clarify that and just make sure what, what what are we talking about when we talk about the live outcome ratio, there's three categories of animals that enter the center. There's dogs and cats. There's wildlife, which is like bats, coyotes, things like that. And then there's what we call exotics, which is everything else. Your hamsters, your turtles, your parakeets, all of that stuff. So we think that the live outcome ratio should be cleaned up in our code

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should be cleaned up in our code to, to be defined as dogs, cats and exotics. But those that we're not legally allowed to let people adopt anyways, such as the bats and coyotes. We think that those should not be counted towards the live outcome ratio. Our second recommendation is really, about how somebody finds a stray animal in the public and you know, how long, does that animal have to be held by the center in order for it to be then be adopted out? What some other communities do is that they let the person who finds the stray dog, they're willing to hold it at their house. But our code requires that we have possession of that animal for 72 hours, and we try to find its owner. And after those 72 hours, we can let that animal be adopted out by somebody else. We want the clock to start ticking when it's at the at the foster's house, as opposed to it having to be taking up valuable space at the center. So that's our second recommendation. This is more of an FYI, to the council

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more of an FYI, to the council as you saw in the audit, there were pictures of dogs in cages and crates. We have been told routinely because we are the quarantine facility for Travis county. The state has a duty to, to audit us. We have been told routinely from the state that we are in violation of the state law as it relates to primary enclosures, because of the use of those cages and crates. And there are some pretty strict penalties associated with failing an audit. And so we just want to make sure that the council is aware today, the, we're not using any cages and crates. And we haven't for the past few days, but it just depends kind of how many emergency cases come in. We could have six or upwards. We've had I think the most we've had is over 150, just depending on what season it is. All of those things. So obviously a logical question that comes up is, well, is this going to hamper our intake even more? And the answer is yes. It will, but what's our what's our solution to that?



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what's our solution to that? Well, part of our solution is the last bullet point on this last slide, which is we do have the real estate division looking at possible additional locations for expansion. I think for a city our size, it's, should be prudent that we have more than one spot for our residents to come and pick up animals or drop off animals. And we'll get back to you at a later date with with some of those locations are. And what the price tag attached with each one. It would, would be, as we said before, we don't think there's any one single reason why the, the shelters in the situation that it's in. And so there's not any one single solution. What we hope is that the ordinance changes. We're making. We're asking you to make . And the operational changes were currently making all lead to the solution that we all want our animal center to be in. And with that, I'll take any questions. >> Thank you for the presentation. I'd like to start and I want to start with, the discussion about the Dunbar bite scale. As you indicated, we currently use a different bite

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currently use a different bite scale and one that is more condensed. That, I guess, would be one way to describe it than the Dunbar bite scale. So it's safe. I think probably to assume and this is not a criticism, it's just safe to assume that it's going to take some time for people to become more familiar with that new bite scale and be able to apply it. And so consistent with with the with the one of the things you said, earlier about having a report that details the actions and the rationale behind those actions and that, that kind of thing. Manager, I, I'll ask it as a question or I'll just kind of say what I'm thinking here. It seems to me that the better course of action would be to pilot this process. Yes, for a six month period, so that what could happen is we could collect the relevant data. You know, and there's a number of things that we can agree are is relevant to the data on that. But also make sure that everyone's trained and

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sure that everyone's trained and in that process so that we don't just overnight switch to something. And and not have it applying the way that we want to have it applying. And frankly, the way that is in the is way it's applied in other places and we can learn from them. So I just mentioned that. Yeah. >> I mean what our if the council, the mayor and council wishes to wishes to adopt and then we'll hold for six months to gather that information to train the staff, try to be as transparent as we can about what we're trying to get done so that there's no mystery about the process going forward. We think that that's prudent and that's the wise course of action, so that we can have adequate time to, to adapt to this new approach. >> Great. Thank you. Other comments or questions? Mayor pro tem, thanks, mayor. >> I and I agree with you about the six month training period. I think that would be, really helpful. Give

some training time as we, our staff work to implement and adopt the Dunbar bite scale. I do have a couple

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bite scale. I do have a couple of questions on, first on the Dunbar bite scale. It doesn't have a separate rating for, bite severity for children. Is that correct? And I know one of the photos there, which was a Dunbar three, I think was a child's cheek. Yeah. >> I think it's, the Dunbar bite scale really is very objective. It says what? What is the length of what is the deepness of the puncture wound, for example? And how does that compare to the length of the canine tooth? But I do not believe that there is a separate one for children or elderly or no. >> Right. And there's a certain elegance to that simplicity on the other hand, children are smaller, and elderly folks probably don't have as much thickness in their, in their, skin or the subcutaneous. So I was wondering if we could look at adding a category for bites to people younger than, say, 18, for example. And it may be that this would just not be possible

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this would just not be possible or would inject complexity, but it does concern me that that that was a child. And I do think that that that has different, consequences and ramifications. I'll look into that. Thanks for that. It concerns burns me that people who take dogs with bite histories from rescues may not be aware that they have a bite history. I believe the city shelter is required to provide this information on when animals are adopted or fostered, but it isn't required for our partner organizations. Is that correct? Do I have that right or I believe so, yes. >> I don't believe there's a mandate that they disclose the bite histories to their. I don't believe there's a mandate for the, rescues to, to, disclose the bite histories to their adopters or fosters or people who work there. I think that's important information for people who adopt or foster to have.

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who adopt or foster to have. >> And I would like to see could we look at mandating all of our partners disclose using bite histories to adopters and fosters? I would ask, Stephanie and Devin to work through that, whether any changes to a regulation and or ordinance needs to be made to that. >> But I think that that's prudent. And I think if people are adopted, if a rescue agency are adopting animals that, have this history, I think they have an obligation to disclose to the adopters that, of what that history is. And certainly we can make that we can begin discussions with them about the best way to do that. Thank you for that. >> And then the last thing I had was the recommendation, to focus on dogs and cats when counting for, our partner organizations to take the animals to help us with our numbers. We're shifting

in this document to dogs and cats to it was done in part to address the fact that there was some inaccuracy in the counting of the numbers because all animals, not just exotics, but

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animals, not just exotics, but also wildlife, were included in those numbers. And in an attempt to try to focus on the specifics, which were part of the agreed count. For example, with Austin pets alive, we agreed to, work on the accuracy of the data. So we were trying to solve for that meeting. The number of takes that were agreed upon in the agreements between the city and its partner. I would support, including exotics. And you had a list that does not include wildlife. And I understand it's a small number, but there were some concerns raised about that, about I think it was it the turtles and rabbits for example? Yeah but not wildlife. So I would ask staff to have that conversation with Austin pets alive with that agreement that we have with them to see if we can achieve some accommodations, there, if that would, if that would work, we'll do city manager.

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do city manager. >> We'd be happy to do that. >> Thank you mayor. >> Thank you mayor pro tem councilmember Velasquez and council member Kelly. >> Thank you, mayor. Of the 56 major, metro areas in the us, how many of them you currently use? A Dunbar scale? >> That's something I'll have to get back to you, councilmember on. I'm not sure, but I do know it's, it's much more nationally accepted than the scale we use, which is kind of you know, it's going to differ based on which place how we define moderate, how another jurisdiction defines moderate is not going to be as consistent as the Dunbar bite scale. So >> Okay. Is there a difference district specific data available for severe bites. Yeah actually I did have a slide on here, but we took it out. >> But I can certainly send it to you. Where we see let me start by saying this is a citywide problem. Every every district suffers from severe bites. But where we see the most bites, where is the concentrated most bites? It's in our county. Above 183, east of 35 and south

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Above 183, east of 35 and south of 290 and south of 71. So it's kind of that little sliver on the west side of 35 that sees less than, than the other, other areas. But it's kind of a inverse. See, as far as that's where the, you know, the vast majority of the bites are happening. >> And to, to touch on something the mayor pro tem asked, do we have data available on how many dogs with severe biting history have been released to the public and bite again? >> We do so we, I will say since 2019, okay, we've had 26 dogs that had a moderate bite history with us and then went on to commit at least another moderate. And the one asterisk I'll give to that is that the second bite, it had to have happened in Travis county,

because that's the way we find out about it. If you saw the news story from last week, unfortunately, there was there was an incident that happened with one of our dogs that had a

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with one of our dogs that had a bite history. It really severely damaged this. This lady's scalp. That's not included in the 26, because that happened outside of the Travis county. So a lot of our dogs, if they go on to bite again, but if they happen outside of the county or if the medical facility doesn't report it like they're required to, to the, to the quarantine facility, which is us, then we'll never know about that. >> One more Mr. Are there separate facilities available for dogs with behavioral issues, a separate place they can go that would prevent them from being released to the public without proper analysis? >> First, let me ask don that question. We don't have a facility at the at the center for that, but. >> Good morning, council. Don bland, chief animal service officer there are rescue organizations that have behavioral programs that, will take animals from us. But as far as, municipal facility, I'm not aware of any that have, programs

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aware of any that have, programs like you're asking for. Thank you, Mr. Bland. >> That's all, Mr. Mayor. >> Thank you. Councilmember. Councilmember Kelly, thank you. >> I, too, want to express support for working collaboratively with rescues to ensure transparency around animal histories and responsible adoptions. Hawkins. One thought that occurred to me was perhaps on our interlocal agreements in the future. We could put that in there. I appreciate you recognizing that, mayor pro tem. I definitely think that our animal center, it's important for us to recognize the challenges faced by them. And I definitely appreciate the presentation today. I actually thought that the historical context around the shelters operations was crucial to understand the no kill mandate and how we got to where we were today. Some of that information I didn't know before it was presented. So I definitely appreciate that. If you're considering satellite locations, could I please put a request to possibly look at my district for one of those? We are the furthest district from city hall, and I think that that would be a great place to look. I also want to let you all know

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I also want to let you all know that I commend your data driven approach. When you're looking at what's going on at the animal center and then presenting the information back to us at council, that's very helpful information to give us. And I believe that the pilot program for six months with the data would help us as well. So thank you. >> Thank you. Councilmember. Councilmember vela. Excuse me. >> Where are we on finding a satellite location, especially again, to reiterate, councilmember Kelly's

comments on the north side. >> You know, because we have our our current facility out on lavender loop, kind of you know, farther east there, the Apa has their facility there on town lake. You know, centrally located. I think north is a it would be very helpful for I think, the community to have access to a facility, a place to volunteer for some additional capacity, you know, storage capacity. Again, I don't think

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capacity. Again, I don't think that storage capacity is going to be kind of the way that we solve this problem. But, we where are we on that? >> Yeah. Thank you. Council member. Being a resident of district six, I fully agree with both of the last comment. I will say that, you know, we did have real estate start looking at, locations for obvious reasons. We don't want to kind of tell you in public what some of the locations are, but we do plan on coming back to you, in a short time period to maybe meet on one on ones, to kind of give you some options and what the rates associated with it are. I know that, you know, as with everything else on, on on your, your agenda every year, you know, money is, is, is an important factor. And you have to make hard decisions. So we'll give you some of those options and, and see where the council will is. >> I appreciate that. And I don't believe in it. Again, I'm not sure, but I don't think we're budgeted for to purchase. I don't think there was anything in the budget. Any clarification on that or any certainty on that? >> No, I don't believe we're budgeted for that now. So what we'll do is we'll try to give

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we'll do is we'll try to give you some options of what we see, what we forecast seeing, maybe where we anticipate the real estate market being so that at least in the maybe, perhaps the upcoming budget, you can make a decision as to whether or not you think that's a prudent use of space. >> Great. And then how are we doing on staff levels at the at the Austin animal center, especially at that entry and mid level range in terms of, you know, vacancies and whatnot? How how are we doing there? >> Yeah. So right now we have 23 open vacancies, 16 of which are at the entry level, which is obviously the place we, need the most help. The other seven being, at least a supervisor level. All of the 16 are in the process of being filled now. So either we're waiting for the closing date or we've got interviews set up or sometimes we have an offer we're ready to make, and we're waiting for hr to sign off on what the what the pay rate will be. So all of those 16, we're hoping to get filled soon, but we understand that filling those positions is

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that filling those positions is a crucial part of kind of the efficiency of the of the shelter. >> Thank you very much. >> Thank you. Councilmember. Councilmember Allison alter, thank you. >> I just wanted to ask some questions about the location, and we'll, also, add my voice for a north location. Ann. I was wondering about the potential financing options for that. Presumably this falls under public safety and under state rules, we'd be able to do cos, are there is that the direction we'd be going, or are there other funding options we don't have a if we don't have a bond this year. It's many years off. If that's the only mechanism. >> Councilmember. >> That's a that's a really good question. I know that they're evaluating that and we'll be making sure that we get with Ed vannino and the financial services staff to just determine what the financing options are. But you may be right. This may fall under the rubric of a public safety issue. And so could be close, but we'll have to get back to you with a specific city.

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specific city. >> And thank you. And do we have a sense of how big of a space this would be ideal for? >> I mean, I think the question that staff is trying to figure out now is, what do we want that second or potentially multiple location to do? Do we want it to be full service? I think there's a belief ideally we have all of the vets in one place, so maybe those satellite locations are really just for the intake and for people to adopt. You know, maybe we do have vets out there, depending on what facilities we have. So I mean, all of that is kind of going to be a little bit, you know, still in the works. We're trying to figure out what do we want those second and third locations to, to be able to do and I think there's a strong argument to be made for not just intake and outtake. Mainly because all of the equipment the vets need, I think it's just going to make it that much more complex to put all of that equipment in all of these facilities, but that's certainly something we're going to look at. >> Thank you. And, one of the things we invested in in the budget was additional spay and neuter capacity. To what extent

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neuter capacity. To what extent is that direction also part of the solutions here? I'm not sure that I, I may have missed it, but I didn't see that, improving improving those efforts as, as part of the over long term, the long terme, solution we have began to move those recommendations forward. >> That is something that we know it's needed. And so we have just kind of moved those forward. The other thing that is also happened is, is that the county has also zo, agreed and is supporting that as well. And so the county has added additional funds for the county, Isla for spay and neuter. And so we are moving that forward, looking at a couple of vendors, as you all know, we kind of have our main vendor that we have, and they have staffed up so we can go ahead and increase the number of spay and neuter in

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number of spay and neuter in addition to that, we are also working with the purchasing office, to see if there is another partner that can step in and be able to provide kind of more ad hoc, but schedule Ed events where we're able to do a larger number of spay and neuter. Thank you. >> Thanks.

Councilmember that will lead us to item number 54. That thank you very much for that briefing. Thank you, manager. And what we'll do now is we will go to pulled items and I'm going to recognize councilmember vela, who asked that we have a discussion regarding to item number 54. >> Thank you, mayor, I just wanted to highlight that, I'm going to be bringing some, amendments and actually, we'll pass them out here in just a second. And I just wanted to daylight, some of the, amendments on the itod and just have a short, discussion about them. The first one is, about

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them. The first one is, about that, would be, just consider including additional incentives, for adding a transit supported features and infrastructure for developments along the rail line , such as restrooms for the drivers. Butts transfer station, bus charging stations, potentially just to have the, planning department look at the possibility of maybe structuring some kind of incentive program. Also to help with build out of the infrastructure. The transit supportive infrastructure, along the rail line. The next one, would be exploring a feasible include incentives and additional entitlements for providing affordable ground floor commercial and or community spaces. And this relates to just a concern turn that that that my constituents brought to me with regard to, the to making sure essentially

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the to making sure essentially that that we have enough vibrant , commercial space and the possibility also that the conversation that I've been a part of are essentially builders , developers saying that they are struggling to fill a lot of the ground floor commercial space. And if you drive around town a lot of times they're using that as their leasing office, their, you know, their, their, their kind of the marginal, uses for it. They feel like they're not having the, the success that they need for it. So they're a little hesitant to build it or they're building, like, as little as they possibly can. But many times the community expectations were that when we agreed to vmu, we thought we were going to get, you know, coffee shops and restaurants and, you know, these kinds of things like that. And so when they're not seeing that, they're they're disappointed with the final product. Or again , in some of the cases that I've been, involved in, and so this would just again, having them look at and try to analyze what

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look at and try to analyze what we can do to incentivize, maybe use those spaces as, as, subsidized for, you know, businesses that we desire, maybe for community groups, maybe for cultural spaces, maybe

for, you know, those kinds of places that that are also being affected by, affordability. So again, this is just direction to, to look at those kinds of issues. The third one, would be. Applying the itod currently the itod the language says that it applies to commercially zoned, and potentially a multifamily zoned a properties. And my the third amendment would just change that to, non single family zoned properties to more broadly encompass because there are a

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encompass because there are a lot of civic and other, you know, there's a lot polgar much longer list than just commercial and multifamily. And so just kind of directing staff to those overlays. And the bonus program should potentially apply to those other, properties that are not zoned multifamily and not zoned, commercial and the last one is this one would be a amendment for, is we're struggling with this, honestly. And I just wanted to throw this one out there to get some, some feedback and reaction. You know, the, the language currently says that, that, the itod station areas, avoid with overlay to the extent feasible, increasing development pressure on existing income restricted and marketrillionate affordable housing within the boundaries. I completely understand and the goal of trying to preserve existing marketrillionate

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existing marketrillionate affordable and existing subsidized housing. However, I kind of feel like we're setting ourselves up for, for failure in the sense I feel like we're almost asking staff to do something that's going to be virtually impossible. You know, when the light rail goes in, and I'm thinking, let's say on the 38th street there, 38th in Guadalupe, there's a bunch of kind of older, you know, smaller apartment moments there that, are going to be be more valuable because they're right next to the rail line. And so I think that it's going to be very, very difficult to preserve those existing marketrillionate affordable units. And and I will say we're doing that through the project connect the \$300 million in anti-displacement funding. You know, the city has purchased multiple, you know, kind of low end apartments along the rail line. And that's a very good thing. But absent are actually

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thing. But absent are actually purchasing the properties and making them subsidize housing. I just don't see where we have the tools, even if we don't, if even if we say, okay, this old apartment complex that's affordable is not going to get any overlay, we're not going to do anything with it that we cannot impose rent control. We cannot really we don't have a lot of tools to really kind of hold those rents low and, my concern is that even though we're not putting the overlay on those properties, trying to protect them, that we're going to not get any new housing, not get any kind of 10% affordable housing. And those



apartments are going to flip into a higher income. So, so we're again, we're still playing with the language, and I don't know how much of a substantive effect the change in the language will have, but we were looking at include Ed regulations that support transit within itod station areas. And ensure to the extent feasible, that new develop creates more affordable units than the existing income

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units than the existing income restricted and market rate. Affordable housing within the irc boundaries kind of instead of trying to kind of preserve, the existing market rate, affordable, housing, which again, I'm not sure we can do the goal should be more to create, additional subsidized housing within additional affordable housing within the itod. Again, using these tools that that staff is, is working with. So I just wanted to, to daylight those for, you know, potentially further discussion on on Thursday. And like I said, the last one is, is a subtle change. But but I think an important one in the sense that we, we want what we can do is create an incentive program that that, creates, creates additional affordable housing. What we can't do is really force a privately held property, you know, to just hold their rent steady. We just don't have the

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steady. We just don't have the tools. So again, it's a subtle a subtle change. But I'm again, I'm trying to work it out. We talked about it internally, and I just wanted to throw it out there for discussion. >> Thank you. Council member. Council member Ellis and council member qadri. And then the mayor pro tem. >> Thank you. Mayor. I just wanted to flag I appreciate council member Vila laying these out for us and wanted to flag a conversation that we've been thinking of. Over the past couple of years. We've been trying to find ways to make sure that the oak hill brt line has appropriate land planning as well. So we've been talking with staff and we'll see if or how we could incorporate any of that into this item. But we're very quickly approaching a moment where those properties are ready to redevelop. A lot of them were built before sos and so there's an incentive now to help with stormwater runoff, floodplain issues and make sure that we've got that that housing being rebuilt as we see some major construction projects happening, through that oak hill area. And so I just wanted to flag for people that we've been very curious about how to make sure that that brt line will, in the

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that that brt line will, in the future, qualify for federal grant applications. Right now, it's not even in a condition that the application can be submitted. And, although we're very excited, the other two lines have already received their federal grants about a year ago. We were very, very happy for those grants to be received for the other metro rapid lines, but want to make sure that the one through oak hill,

we're not missing the opportunities. And ending up with those properties redeveloped and not having affordable housing, not having walkability and not being a part of the larger conversation, as we know that those redevelopments are very necessary. So I just wanted to flag that. We'll see if we can get language incorporated in this or if we need to, to work at incentivizing that and prioritize that. With with another language and another item. Thank you. >> Council member. Council member qadri. Then then the mayor pro tem. >> Great. Thank you, mayor. And I guess before I get into my comments, I want to thank councilmember Velasquez and Vella for making sure my hair wasn't messy. They have the best hair on the dais, so, I always take their lead. I'm excited for

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take their lead. I'm excited for the, for the itod package for district nine. I think it's really important that we use the slant that we get land use right for this major transit investment. As we know, it's critical to get it done by may, because of the federal grant application. And that's why I'm exploring a couple of amendments, with our professional staff. The first amendment that we're going to explore is to reinstate looking, into parking, counting toward F.A.R downtown and giving a small bump in the base for, this, was a key finding in the uli technical assistance panel. Last fall, that council member harper-madison and I were engaged in, and staff has told us that the excessive parking downtown is one of the, one of the biggest weaknesses is, on our application. So I just want to make sure we do as much as we can, on this item to make sure, we're successful. And then the second, amendment we will look at as considering opportunities for extra height, perhaps near, station areas, downtown and adjacent, our high frequency

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adjacent, our high frequency transit areas. And we want as many people to, to live there. The more people who live there, near transit means fewer emissions into our environment. It means more affordable living. And it's better for our tax base and to better utilize our limited resources for our streets, public services, infrastructure. So this is something myself, my office will explore more with city staff and post any amendments to the to the message board and the near future. >> Great. Thank you. Council member. Mayor pro tem, I just wanted to, lend support to, council member vela's amendment that talks about the, density bonus program to non-single family zoned properties in an attempt to kind of jump start their ability to, to, be successful. >> And I, I just wanted, from a historical perspective, point to second street and if I'm remembering right about the time when, I think the city hall was being constructed, there were

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being constructed, there were efforts from the city council and maybe the interim city manager and the mayor would remember this better than I do. But we, the city council, provided some incentive programs to make sure that the commercial entities along second street could, would be attracted to and succeed in this space. And so we have some history of having done that in the past. And seems like it would be a good application if I'm remembering that, that, that, policy move properly. Yeah. >> There were a number of things, including the city being in the role of actual management of the district, in part so that you didn't have competing. You wouldn't have one retail that competed with another just because they they chose to be there so that it was actually built in such a way to try to assure that it would be sustainable and work. There was quite a bit of effort that went in that, councilmember Allison

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in that, councilmember Allison alter followed by, you want to say something? >> I just want to make sure we follow up. I know that, councilmember vela, I think the staff had told me they had touched base with you. I just want to make sure that our staff touch base with each of your offices. Councilmember qadri mentioned that just a minute ago. And, councilmember Allison, make sure that we touch base with you so we get help with whatever preparation needs to get done for Thursday. >> Councilmember Allison alter, then followed by councilmember Ryan alter and councilmember harper-madison. >> Thank you. I wanted to ask if staff can provide us, a red line between 54 and 26. I understand that 54 replaced 26 on the agenda. Maybe you can speak briefly to what the changes were and then provide us a red line. >> Translink with the law department. There were two changes. One was to the posting language to include the priority extension language. It was in the resolution but hadn't made it into the posting language. So we changed that and then we took off from the downtown parking

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off from the downtown parking section of the resolution. The first bullet about far and calculating far differently. By including the garage structures. And those were the changes. >> You took that off. >> We took that out. Correct. >> Okay. And what was the reason that was taken out? >> I need to turn that over to staff. >> Okay. And if you could, if you could send a red line on that, that would be great. And maybe if staff could help us understand why that piece was taken out. Because I think that was just what councilmember qadri was saying he wanted in. If I understood correctly, any volunteers on that one. >> I sent yeah, just sent. Just send it. Get it to us. Get it to sorry. Councilmember alter, are you true? >> I just wasn't sure if someone was coming up to provide the answer. >> And, Mr. Mayor, while we wait, that was my question. And so I was going to ask the same question. Especially because given this time last week, we had a conversation at the

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had a conversation at the housing and planning committee meeting about itod considerations. And this was something that was there. And now it's not there. Thank you, councilmember Elton mayor and council and Brodie with the project connect office, city of Austin. >> The reason for the change, in the amendment to the resolution is our hyper focus on the grant competitive Ness. We added the parking, the implement, the start of the implementation of the package of the uli tap recommendations, with this may package of itod, amendments, because in talking with Austin transit partnership staff, one of the criteria that we would like to be more competitive in is the ratio of employees to actual parking spaces downtown. And we want to show a good faith effort in starting to reverse that trend in in a best practice way. Rey. And so we took what we thought we could accomplish in

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thought we could accomplish in between now and may. With all with all the other items on our plate of, of starting to take a bite at that apple of implementation of that package of, of recommendations. We then started to make the rounds with key stakeholders and heard some concerns. And like a pure planning process should we took those concerns to heart and tried to decipher okay, what exactly is going to hit the grant competitive Ness. And that is, the, you know, addressing the number of parking spaces downtown. So we thought that, removing the far doing it with the downtown density bonus later, later in the year. But addressing, recalibrating the maximum amount of parking downtown would speak directly to the number of parking spaces that that the feds would look at. And so that was our way of really, again, focusing on what what would be the bare minimum for the grant, listening to the

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for the grant, listening to the stakeholders was understanding what that was about. And adjusting the resolution. Thank you. >> Thanks. Councilmember Ryan alter, I have a couple questions for miss harden. >> If she is willing to take them. Good morning. How are you? I wanted to ask quickly about the process process of someone who is looking to rezone. And this is as it relates to the vmu portion of this resolution. So if I was an applicant and I wanted to, get a rezone, I fill out the application. I submit it . What happens next? Can you walk me through just a quick timeline of when notice goes out, how long staff takes to turn in the report? Generally speaking, just, so just a, a traditional standard application and we're not, talking about,

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and we're not, talking about, the density bonus that's coming forward because we're going to set up a separate process and we're working on that now. >> So let's say, well, maybe you beat me to the punch. >> Do we can you just skip to that? What that's gonna look like? >> I'll skip to that. We are looking to have a dedicated staff member to work on. Any application that falls into the rezoning or the site plan because some applications, please note, did not come through a rezoning with the V. They just went straight to the site plan. And so anyone that has a piece will be waived. We'll start there. If council approves, that piece would be waived. And then additionally we'd have a dedicated staff member. It will still take the 30 days for review. Comments and then we would do a joint notice. So we're probably looking at roughly in a course neighborhoods in council and commission can ask for postponement. Staff has nothing to do with that. Right. But we're probably looking at about

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we're probably looking at about about, I don't know, 2 to 3 month process. I haven't put it out yet. But I'm saying about a two month process. >> Okay. And in terms of the comments, is there you know, I'm thinking about if we be before the court case, we had envisioned these properties having that entitlement just as a right. And so what in the comment process do you anticipate needing to review for, okay. >> So each rezoning. Correct. So each rezoning application gets reviewed by site plan. You'll see in your staff report, site plan comments, dsd, environmental comments and it's just a standard when it goes into dsd for intake. So I'm an applicant, I go to dsd, I pay my fees. I know it's things are going to be way, but I pay my fees. I turn in my application

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fees. I turn in my application to dsd. Dsd makes sure all the fees are paid and then transfers it over in our Amanda system to our zoning case managers automatically. We each do vision or group or department. There was reviews, zoning, cases, gets 30 days to do your their comments. And that is something that we can look at if these cases. Because one of the things that and we're still working on the process to speed these up, especially if they've been approved by council. So I take your point. And that's something that we could look at because we are just writing. We're not doing a full review of these have already been approved by council. Why are we doing it? I get it's a rezoning, I get the council has its discretion. I get all that. But a lot of the reviews have already been done. So why do you need the full 30 days? You can just copy and paste because nothing has changed and we can look at actually amending that deadline or that time frame. You're exactly correct. To shorten that review, you're absolutely correct. >> And this will apply to the V

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>> And this will apply to the V properties. Will this also apply for someone who was taking advantage of the residential and commercial? Oh, absolutely. >> Okay. The whole universe of site plans residential commercial bm2 all of those. It applies to that whole whole universe and we are still working out our process. So thank you. Council member alter, we are still working out our process and that's something that we can look at. Why do you need the whole 30 days to review when you've already done the review. >> Right. And I think in some instances, you know, they might not have gone through a rezone, but let's say they owned a CSS property and we passed residential and commercial and boom, they had residential entitlements. Why yeah. >> Out of our universe that is going to go through the process. All right. So we will work on amending. Of course we have statutory requirements for notification right. There is nothing we can do about that. We will do dual notifications for planning commission and council. If there's postponements along the way. Of course there's nothing staff can do about that. But we will look at for these properties that fall within this

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properties that fall within this universe, we will look at, ways that we can shorten the review because these properties have been reviewed. >> Great. Well, I appreciate it that I think that's great work. So thank you. >> Thank you. >> Could you just clarify which universe again? So it's the universe of. >> So if I we've had numerous ones a properties that rezoned to vmu two. So we've had properties that just come in and rezoned to vmu two that is going to be in the universe. They've been reviewed, they've been voted on by council. In the staff reports, we'll say that this property came in. It was voted on by council. Ordinance number, whatever. We'll have that in the staff report. So it's the vmu two, then it's site plans and we have two universe that are I'm speaking off the cuff, but but I know we have the where I'm going to just use this terminology. If you had a V on your property and you got the V and I don't know,

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you got the V and I don't know, 2012 or 2013, you could have just done a site plan for vmu two. Those will be in this universe because vmu two then we also have residential and commercial. Which council member are altered just spoke to and that was just a site plan that so if you had I'm just gonna make up gr on your property. You could have done a site plan for residential and commercial for multifamily. Those will be in this universe because resident we no longer have residential commercial. So those two site plans and then vmu two rezonings. >> So those would be expediting the review for property projects that kind of got caught in the decision. The Acuna two decision process, which we've already reviewed to make sure that that process goes faster. Yes. Okay >> Thank you that those properties have not gone through the rezoning, but because they were in the lawsuit, we will be looking at expediting those as well. And they are will be in the universe of fees waived? Yes

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the universe of fees waived? Yes okay. >> But with respect to residential and commercial, where the idea was we wanted to encourage the residential and commercial, just like with vmu two, they're going to have to go through a zoning change. They don't have to change. They don't have to go into whatever the new vmu two category is, but they would have to do a zoning change . >> Yes. >> So if they want to have residential, commercial. >> Yes. You're exactly right. So is that if that is adding the B to your zoning strained? Maybe it's just the vmu one because we still have that. If that's adding the db 90, if that's adding just the imu. I mean we just have to look at that. Yes but there's in that universe you would have to get a rezoning. Yes >> Okay. Maybe in our executive session we can talk about other options that are there for that. Because when we did do residential and commercial, there were some. And that was the low hanging fruit where we could get a lot more residential capacity was making that buy. Right. And obviously with the

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Right. And obviously with the rules, we can't do that. But in the same way. But we should be thinking about that. >> Council member harper-madison and then council member I'll call on you to close. Thank you, mayor, I appreciate it. >> And so, just as a continuation of that, I think this, question is for miss Burdick. And so as a continued of the line of questioning, that council member, a alter, brought up earlier around these specific parking, considerations within in the, itod conversation. I mean, recognizing that the housing and planning committee specifically made recommendations that that, have been subsequently removed. And so I'm trying to figure out between now and Thursday is there space for us to reconsider, that being that recommendation being considered again, essentially what I'm saying is council member qadri and I, you know, recognize that

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and I, you know, recognize that these conversations are going to be intense and robust. And, we really tried to kind of, circumvent overwhelming staff by , by, you know, using, utilizing rather one of the resources like a uli and a tap, you know, to, to address this whole issue. And now it's, it's like, I guess I'm just confused how how it happened that we went from a place where I thought on Friday we were in one spot, but by Tuesday we're in a different spot. And whether or not that can change again before Thursday, because a part of the recommendation was for specific reasons, as it applies to the conversation. >> So council member Veronica, assistant city manager. >> Thank you. We have heard the discussion on the dais. The point that you are bringing up, as well as the other recommended amendments and conversation, we will be prepared. We will address everything that we've heard today, and we will be prepared on Thursday to add any language that you would like to into the to the decision that you all make. So we will be here with language for you to

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with language for you to consider. If the dais chooses to put language back into the resolution. >> I really appreciate that, especially because so much consideration went into it contextually. >> You know, we really had a lot of feedback from everybody who was appropriate to have had feedback from including downtown stakeholders as we were having conversations around downtown parking requirements. So, I mean, we didn't come to the conclusion lightly. What the language should look like in order to get maximum yield and the best possible results. So thank you. I appreciate that flexibility. Thank you mayor. >> Thank you. Council member, council member vela to close. >> Yes. And I'm sorry we didn't actually pass out the amendment on the preserving versus the, I'm so glad for you to say that. >> I feel so much better now about what I couldn't find. >> Will post it on the on the message board. And I'll kind of re state what I, what I said right now, but I just wanted to clarify that, and I also, I know we're always up here telling staff, do this. Do that. They've done an excellent job on the itod, and I just wanted to make sure and say that because, it's really, really good work. The

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really, really good work. The half mile, area that they, that they have defined out, lines up perfectly with the federal requirements, including the priority extensions. Also, I thought was an extremely important step. So anyway, I just wanted to say thank you to, miss Briseno. Miss Middleton, Pratt and all the staff who have spent a lot of time. And I know we've taken a lot of their time, too. But again, just really appreciate y'all's time and effort. And I think we have a good ordinance working its way through the system. >> Well said. Thank you. Council member, council members, we're getting ready to go into a closed session and I'm going to announce that. But before I do that, I want to let our the folks that do our sound system and, I think that since we came in in the new year and changed the sound system, it's more difficult for us on the dais to hear now, that microphone is really a great microphone on that, that one. I can always hear. But when council members

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hear. But when council members are speaking, it's sometimes difficult. For example, when council member Vela and I don't think it's because he's further away. But when council member Vella, speaks and then I've, at this end of the dais, they were also raising that question or that issue a minute ago. What I would suggest is that y'all experiment a little bit with that. It may be that one of the speakers needs to be turned in just a slight way toward the dais. I leave that to you all, but I just I wanted to call that out with that. The, members, without objection, the city council will go into a closed session to take up two items. Not just put back on pursuant to 551.071 of the government code, the city council will discuss legal issues related to item E one. Dirty Martins et Al. Versus mayor Kirk Watson et Al. Cause. Number D1GN23008105. In the



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Number d1gn23008105. In the 455th judicial district of Travis county, Texas and then item E two, Acuna et Al. Versus city of Austin et Al. Cause. Number d1gn19008617. In the 201st judicial district of Travis county, Texas. Without objection, we will go into executive session members of the community when the executive session is completed, I will come out and, announce the adjournment of this work session without objection, the city council will now go into executive session. Thank you objection. The Austin city is in Executive Session.

[ In Executive Session ]

[12:08:37 PM]

We are out of closed session. In closed session we discussed legal issues related to items E1 and E2. Without objection the Austin city council is adjourned from this January 30th Council work session. It is 12:08 P.M.